

hearing entitled “The Homeland Security Department’s Budget Submission for Fiscal Year 2016.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on April 29, 2015, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 29, 2015 at 9:30 a.m., in room 428A of the Russell Senate Office Building, to conduct a hearing entitled “King vs. Burwell Supreme Court Case and Congressional Action that can be taken to Protect Small Businesses and their Employees.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on April 29, 2015, at 2:30 p.m., in room SR-418 of the Russell Senate Office Building, to conduct a hearing entitled “GAO’s High Risk List and the Veterans Health Administration.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on April 29, 2015, at 9:30 a.m., to conduct a hearing entitled “Exploring Opportunities for Private Investment in Public Infrastructure.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 29, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BROWN. Mr. President, on behalf of Senator LEAHY, I ask unanimous consent that Aaron Locke, an intern on his personal office staff, be granted Senate floor privileges for Thursday, April 30, 2015.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, APRIL 30, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, April 30; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following leader remarks, the Senate resume consideration of H.R. 1191.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

FDA TOBACCO DEEMING REGULATIONS

Mr. BROWN. Mr. President, it has been more than a year since the Food and Drug Administration issued its proposed tobacco deeming regulations. These regulations would give the Agency the same regulatory authority it currently has over traditional tobacco cigarettes to other unrelated tobacco products such as e-cigarettes and hookahs.

These regulations are critical for public health, especially for children. Yet, they have languished within the administration for more than a year. A year is too long to wait because we know what has been happening.

According to a report from the Centers for Disease Control—the FDA’s own Center for Tobacco Products—in the past year, e-cigarette use has tripled among teens. Absent any regulation, more and more of these potentially dangerous products have found a way into the hands of our children.

After just a few years on the market, children’s use of e-cigarettes has now surpassed the use of traditional cigarettes. Think back to the first time we heard about e-cigarettes. I didn’t know what people were talking about. Now we see there are more children using e-cigarettes than traditional cigarettes. This is in large part because we have failed to regulate these addictive products.

Until these regulations are finalized, e-cigarette companies will be able to freely advertise their products to our children in Juneau and to our children in Cleveland.

What many people fail to realize is that often e-cigarette companies and big tobacco companies are now one and the same. Marlboro-maker Altria

Group, the Nation’s largest tobacco company, is making up for its loss in revenue as cigarette smoking has declined—and it is doing so among children too—making up its loss of revenue from combustible tobacco products by marketing its MarkTen electronic cigarette. Lorillard has acquired Blu e-cigarettes. Reynolds American, the maker of Camel and Pall Mall cigarettes, has a new e-cigarette called VUSE.

Much of Big Tobacco’s behavior is driven by one giant and irrefutable fact: Tobacco in the United States kills 400,000 people a year. Think about that—400,000 Americans die prematurely from tobacco use every year. What does that mean? That means tobacco companies need to find 400,000 new customers a year. They are not going to market to people such as the Presiding Officer or me or the people staffing the Senate floor. They are going to people like the pages. They are going to people 16 and 17 years old to addict them to cigarettes. People my age rarely start smoking; people their age so often do.

Big Tobacco has to find these new customers. It used to be that they preyed on children with highly paid, sophisticated tobacco executives who spend their days figuring out how to entice teens to start smoking with characters such as Joe Camel. We think of Camel No. 5, some of the things they did. Now that they are no longer allowed to advertise traditional tobacco products to kids—and parenthetically, that is one of the great public health victories in this country, what this body did, what the House of Representatives did, what Presidents did to alert public health and to change young people’s behavior so young people did not start smoking in larger numbers. That was an effort by government and consumer groups and children’s groups.

These tobacco companies now, though, are taking advantage of the new, unregulated world of e-cigarettes to advertise their products directly to children because they can. Joe Camel has been replaced by celebrities smoking e-cigarettes. These companies sponsor youth-oriented events and air ads on TV and radio aimed at teenagers. They are using new advertising platforms on social media to get to kids where parents typically are not looking.

The shameful e-cigarette marketing tactics employed by tobacco companies are encouraging this next new generation to use tobacco, and, as the CDC’s study shows, their tactics are working—triple the use, triple the number of young people smoking these e-cigarettes.

Another recent study revealed that teens were able to purchase e-cigarettes online in 94 percent of the attempts they made. None of them were required to show proof of their age when the cigarettes were delivered.

A study published in the New England Journal of Medicine that examined the use of candy flavors in tobacco products found that—no surprise here—flavors drive increases in tobacco use among kids. E-cigarettes and their refill liquids come in thousands of different flavors, such as Gummi Bears, Sweet Tarts, and Fruit Loops. Just look at this photo of Gummi Bear-flavored e-liquid. The bottle is about this big.

As the president of the American Academy of Pediatrics, Dr. James Perrin, said, “Because liquid nicotine comes in a variety of bright colors and in flavors appealing to children such as cotton candy and gummy bear, it is no surprise that these products have found their way into the hands of children.”

I don’t think they are making gummy bears to encourage people the age of the Presiding Officer, to get them to start smoking, or my age; they are getting young children to start smoking. Gummi Bears, Fruit Loops, and Sweet Tarts—those are candies young children receive at Halloween. They are also flavors of highly toxic products.

The bottle in this photo contains two teaspoons of liquid nicotine. A single teaspoon of this e-liquid, even if it is highly diluted, can kill a small child if ingested. It is totally legal. People will see this sold at drugstores and at all

kinds of places. Children are likely to pick it up if they see it around the house. There is a chance—there always is in a country of 300 million people—that some child will—attracted by this, looking at this, the cute little bottle—will drink it, and that child could die.

It is past time for the FDA to regulate these dangerous products before more children and more teenagers get hooked on e-cigarettes.

My colleagues and I, led by Senator MERKLEY, Senator BLUMENTHAL, Senator DURBIN, and others, have called on the FDA over and over again to finalize these proposed rules and reject efforts to weaken these proposed regulations. Every day the FDA waits is thousands more children getting addicted to nicotine, thousands more children getting exposed potentially to drinking this very toxic liquid, and thousands more children smoking these e-cigarettes.

Tobacco companies are pushing to allow more products to be grandfathered out of the new rules. They want to exempt a huge range of e-cigarettes from any review to determine whether they are a threat to public health. That would mean these products would never be subject to review by the FDA. How stupid of a nation can we be? We have been so successful in the last 40 years as public health officials, as Members of Congress, as responsible adults, as consumer groups

and advocates for children. We have been so successful in reducing the incidence of smoking, especially among young people. It has changed the whole next generation. Yet, now we are letting this happen.

E-cigarettes are still tobacco products. They are used by the tobacco industry—I haven’t talked about this yet—as a gateway cigarette for kids, and that doesn’t stop. They see this, and they start smoking these e-cigarettes. Then a year or 2 years, 5 years, 10 years down the road, they will be smoking traditional tobacco and they will be addicted, and we know what addiction to cigarettes is for so many of our fellow Americans.

My colleagues and I urge the Food and Drug Administration to strengthen and finalize these regulations before any more of our children get hooked on potentially dangerous and addictive tobacco products.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. on Thursday, April 30, 2015.

Thereupon, the Senate, at 6:23 p.m., adjourned until Thursday, April 30, 2015, at 9:30 a.m.